

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— against —

ALEXIS ESCOBAR,

Defendant.

15-cr-150 (ARR)

Not for print or electronic publication

Opinion & Order

ROSS, United States District Judge:

On August 11, 2020, I denied Defendant Alexis Escobar’s (“Escobar”) original motion for compassionate release, pursuant to 18 U.S.C. § 3582(c)(1)(A). Opinion & Order, August 11, 2020, ECF No. 117. Although I found that Escobar had presented extraordinary and compelling reasons for release, these reasons were ultimately outweighed by the Section 3553(a) factors, namely the nature and circumstances of his offenses; his history and characteristics; and the need for the sentence to reflect the seriousness of his offense, promote respect for the law, and provide just punishment for his offense. *See* 18 U.S.C. § 3553(a).

On August 31, 2020, Escobar submitted a motion for reconsideration of my order denying his motion for release. His motion does not raise any new arguments, nor does it assert any changes to the conditions at FCI Danbury. Escobar does assert that he and several other inmates in his unit are experiencing a “COVID-19 rash,” and that they have not been attended to by medical staff. While the CDC does not include rash as a symptom of COVID-19, other sources in the medical field have recognized the occurrence of skin rashes in COVID-19 patients. *E.g., Skin Rash Should Be Considered as a Fourth Key Sign of COVID-19*, COVID

Symptom Study (July 17, 2020), <https://covid.joinzoe.com/us-post/skin-rash-covid>; *COVID Toe and Other COVID-19 Skin Conditions*, Weill Cornell Medicine (July 9, 2020), <https://weillcornell.org/news/covid-toe-and-other-covid-19-skin-conditions>.

The new development of Escobar's rash does not alter my original finding that the Section 5335(a) factors outweigh the extraordinary and compelling reasons for release. However, I urge the Government to contact the Bureau of Prisons to ensure that Escobar and his fellow inmates receive medical attention and are tested for COVID-19.

For the reasons set forth above, Escobar's motion to reduce his sentence is again denied.

SO ORDERED.

Dated: September 2, 2020
Brooklyn, NY

_____/s/_____
Allyne R. Ross
United States District Judge